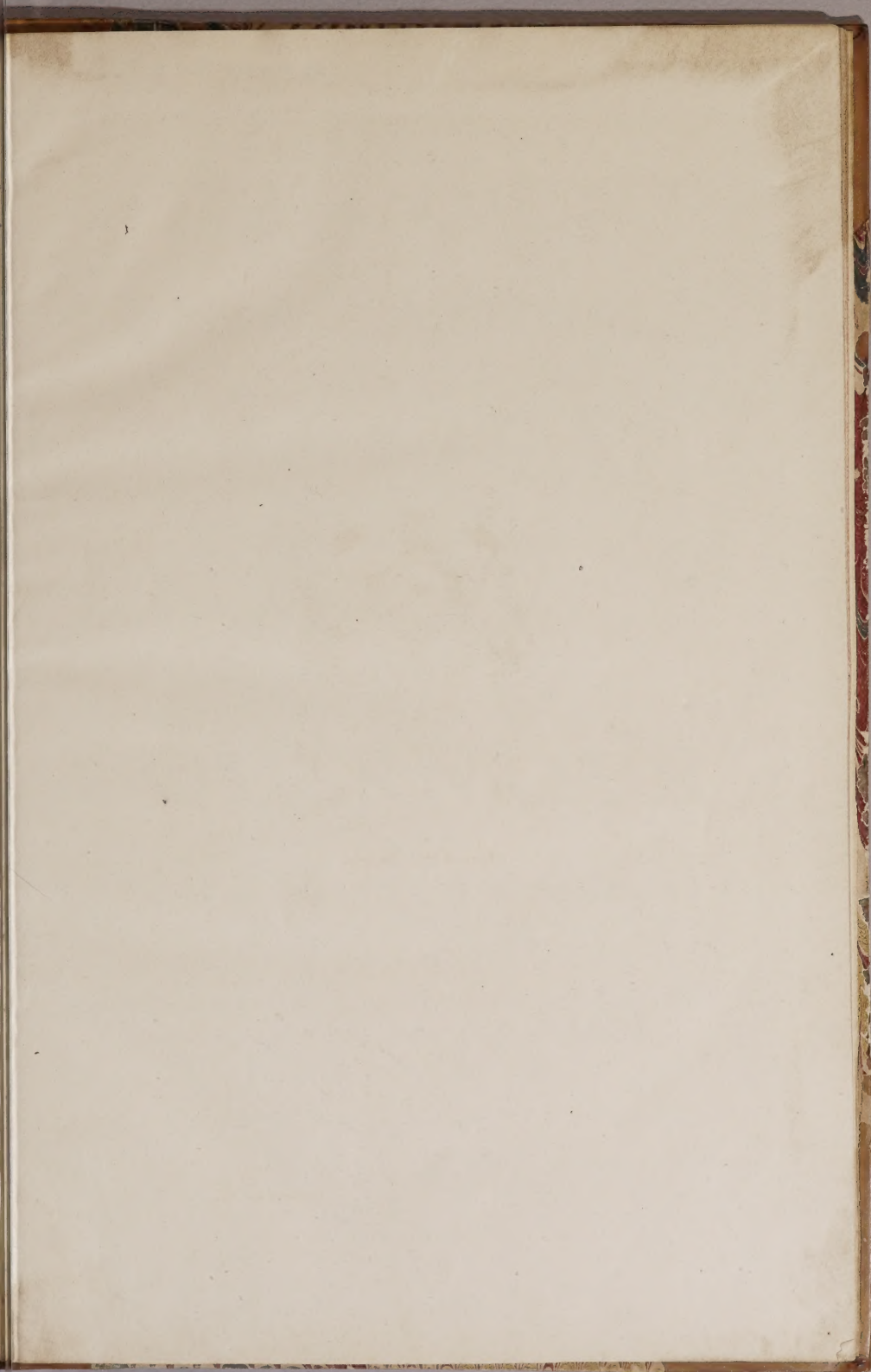
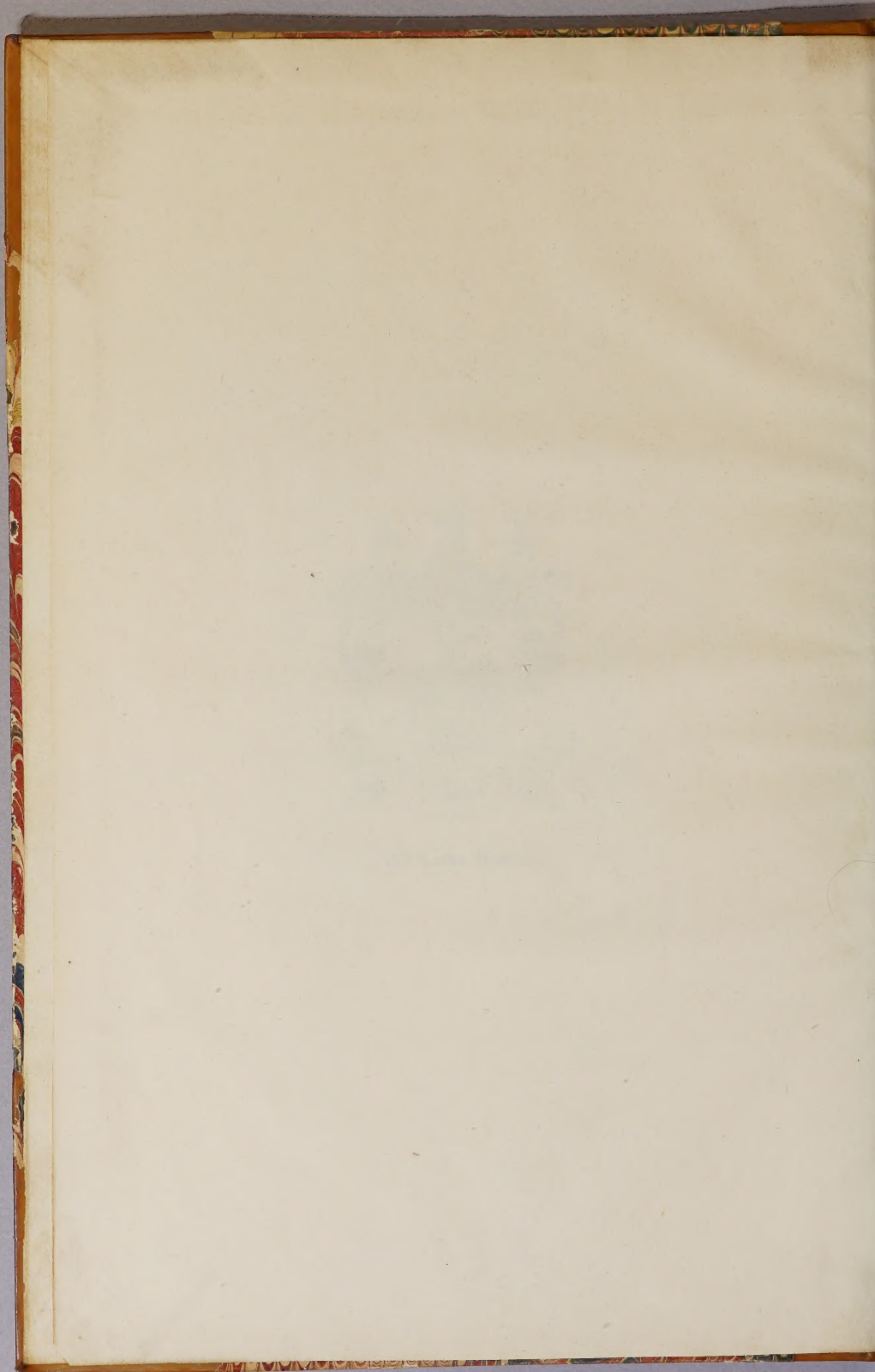






John Carter Brown.





March 20th 1872

Formanp No 975.

The FRAME of the
GOVERNMENT
OF THE
Province of Pennsylvania
IN
A M E R I C A :

Together with certain

L A W S

Agreed upon in England

BY THE

GOVERNOUR

AND

Divers **FREE - MEN** of the *aforesaid*
PROVINCE.

To be further Explained and Confirmed there by the first
Provincial Council and General Assembly that shall
be held, if they see meet.

Printed in the Year **MDC LXXXII.**

THE FRAME OF

GOVERNMENT

OF THE

Republic of Pennsylvania

IN

AMERICA:

To which with certain

J. A. W. S.

Agreed upon in England

BY THE

GOVERNOR

AND

Directors FREE-MEN of the Province
PROVING

To a further Explanation of the Government of the Province
To be published by the Governor and Council of the Province
at the City of Philadelphia

Printed by the City of Philadelphia

SPACE

Protestant Answer

THE P R E F A C E.

When the *Great and Wise God* had made the World, of all his Creatures it pleased him to chuse *Man* his Deputy to Rule it: And to fit him for so great a Charge and Trust, he did not only qualifie him with *Skill and Power*, but with *Integrity* to use them justly. This *Native Goodness* was equally his Honour and his Happiness; and whilst he stood here, all went well: There was no need of *Coercive or Compulsive means*; the Precept of *Divine Love and Truth*, in his own Bosom was the *Guide and Keeper* of his Innocency. But *Lust* prevailing against *Duty*, made a lamentable Breach upon it; and the *Law*, that before had no Power over him, took place upon him and his Disobedient Posterity, that such as would not live conformable to the *holy Law within*, should fall under the Reproof and Correction of the *just Law without* in a Judicial Administration.

This the Apostle teaches in divers of his Epistles: *The Law* (says he) *was added because of Transgression*: In another place; *Knowing that the Law was not made for the Righteous Man, but for the Disobedient and Ungodly, for Sinners, for Unholy and Prophane, for Murderers, for Whoremongers, for them that Defile themselves with Mankind, and for Men-stealers, for Lyars, for Perjured Persons, &c.* But this is not all, he opens and carries the matter of Government a little farther; *Let every Soul be subject to the higher Powers*; for there is no Power but of God. *The Powers that be, are ordained of God: Whosoever therefore resisteth the Power, resisteth the Ordinance of God.* For Rulers are not a Terror to good Works, but to Evil: *Wilt thou then not be afraid of the Power, Do that which is good, and thou shalt have Praise of the same—He is the Minister of God to thee for good—Wherefore, ye must needs be subject, not only for Wrath, but for Conscience sake.* This settles the *Divine Right of Government* beyond Exception, and that for two ends: First, *To Terrifie Evil-Doers*: Secondly, *To Cherish those that do Well*; which gives Government a Life beyond Corruption, and makes it as durable in the World, as *Good Men* shall be. So that Government seems to me a part of Religion it self, a thing Sacred in its Institution and End: for if it does not directly remove the Cause, it crushes the Effects of Evil, and is as such (though a lower, yet) an Emanation of the same *Divine Power*, that is both *Author and Object of Pure Religion*; the Difference lying here, that the One is more *Free and Mental*, the Other, more *Corporal and Compulsive* in its Operations: But that is only to *Evil-doers*; Government in it self being otherwise as capable of *Kindness, Goodness and Charity* as a more private Society. They weakly Err, that think there is no other use for Government, than *Correction*, which is the coarsest part of it: Daily experience tells us, that the Care and Regulation of many other Affairs, more soft and daily necessary, make up much the greatest part of Government; and which must have followed the *Peopling of the World*, had *Adam* never fell, and will continue among Men on Earth under the highest Attainments they may arrive at, by the Coming of the blessed *Second Adam*, the *Lord from Heaven*.—Thus much of Government in General, as to its Rise and End.

For particular *Frames and Models*, it will become me to say little; and comparatively I will say nothing. My Reasons are, First, That the *Age* is too nice and difficult for it, there being nothing the *Wits of Men* are more busy and divided upon. 'Tis true, they seem to agree in the end, to wit, *Happiness*; but in the means they differ, as to *Divine*, so to this *Humane Felicity*; and the cause is much the same, not always want of *Light and Knowledge*, but want of using them rightly. Men side with their *Passions* against their *Reason*; and their *sinister Interests* have so strong a Byass upon their minds, that they lean to them against the good of the things they know.

THE PREFACE.

Secondly, I do not find a Model in the World, that *Time*, *Place* and some singular Emergencies have not necessarily alter'd; nor is it easie to frame a *Civil Government*, that shall serve all places alike.

Thirdly, I know what is said by the several Admirers of *Monarchy*, *Aristocracy* and *Democracy*, which are the Rule of *One*, a *Few* and *Many*, and are the *Three Common Ideas* of *Government*, when men discourse of that Subject. But I chuse to solve the Controversie with this small Distinction, and it belongs to all three: Any *Government* is *free* to the People under it (what-ever be the Frame) **where the Laws Rule, and the People are a Party to those Laws**, and more then this is *Tyranny*, *Oligarchy* or *Confusion*.

But *Lastly*, when all is said, there is hardly one *Frame* of *Government* in the World so ill design'd by its first Founders, that in *good hands* would not do well enough; and Story tells us, The *Best* in *Ill Ones* can do nothing that is *great* or *good*; witness the *Jewish* and *Roman States*. *Governments*, like Clocks, go from the motion Men give them; and as *Governments* are made and mov'd by *Men*, so by *Them* they are Ruin'd too: wherefore *Governments* rather depend upon *Men*, then *Men* upon *Governments*. Let *Men* be *good*, and the *Government* can't be *bad*; if it be *ill*, they will cure it: but if *Men* be *bad*, let the *Government* be never so *good*, they will endeavour to warp and spoil it to their Turn.

I know some say, *Let us have good Laws, and no matter for the Men that Execute them*: But let them consider, that though *good Laws* do well, *good Men* do better; for *good Laws* may want *good Men*, and be abolished or evaded by *ill Men*; but *good Men* will never want *good Laws* nor suffer *ill Ones*. 'Tis true, *good Laws* have some Awe upon *ill Ministers*, but that is where They have not Power to escape or abolish them, and the People are generally wise and good: But a loose and deprav'd People (which is to the Question) love *Laws* and an Administration like themselves. That therefore which makes a good Constitution must keep it; (*viz.*) *Men of Wisdom and Virtue*; qualities, that because they descend not with *Worldly Inheritances*, must be carefully propagated by a *virtuous Education* of Youth; for which *After-Ages* will owe more to the care and prudence of Founders and the successive *Magistracy*, then to their *Parents* for their private *Patrimonies*.

These Considerations of the Weight of *Government*, and the nice and various Opinions about It, made it uneasy to Me to think of publishing the ensuing *Frame* and *Conditional Laws*, foreseeing, both the Censures they will meet with from Men of differing *Humors* and engagements, and the occasion they may give of discourse beyond my design.

But next to the Power of *Necessity*, (which is a *Solicitor* that will take no denial) this induc'd me to a Compliance, that we have (with *Reverence* to *God* and *good Conscience* to *Men*) to the best of our Skill contrived and compos'd the **Frame and Laws** of this *Government* to the great End of all *Government*, *viz.* **To support Power in Reverence with the People, And to secure the People from the abuse of Power**; that they may be *Free* by their *just Obedience*, and the *Magistrates Honourable* for their *just Administration*: For *Liberty* without *Obedience* is *Confusion*, and *Obedience* without *Liberty* is *Slavery*. To carry this Evenness is partly owing to the *Constitution*, and partly to the *Magistracy*; where either of these fail, *Government* will be subject to *Convulsions*: but where both are wanting, it must be totally subverted: Then where both meet, the *Government* is liketo endure: Which I humbly pray and hope, *God* will please to make the Lot of *This of Pennsylvania*: Amen.

William Penn.

THE
F R A M E
OF THE
Government of Pennsylvania
IN
A M E R I C A, &c.

To all People, to whom these Presents shall come :

WHEREAS King Charles the Second, by his Letters Patents, under the Great Seal of England, for the Considerations therein mentioned, hath been graciously pleased to Give and Grant unto Me William Penn (by the Name of William Penn Esquire, Son and Heir of Sir William Penn deceased) and to My Heirs and Assigns forever, All that Tract of Land or Province, called Pennsylvania, in America, with divers great Powers, Prebeminencies, Royalties, Jurisdictions and Authorities necessary for the Well-being and Government thereof.

Now Know Ye, That for the Well-being and Government of the said Province, and for the Encouragement of all the Free-men and Planters that may be therein concerned, in pursuance of the Powers aforementioned, I the said William Penn have Declared, Granted and Confirmed, and by these Presents for Me, my Heirs and Assigns do Declare, Grant and Confirm unto all the Free-men, Planters and Adventurers of, in and to the said Province These Liberties, Franchises and Properties to be held, enjoyed and kept by the Free-men, Planters and Inhabitants of and in the said Province of Pennsylvania forever.

Imprimis, That the Government of this Province shall, according to the Powers of the Patent, consist of the Governour and Free-men of the said Province, in the Form of a Provincial Council and General Assembly, by whom all Laws shall be made, Officers chosen and publick Affairs Transacted, as is hereafter respectively declared ; That is to say,

II. That the Free-men of the said Province shall on the Twentieth day of the Twelfth Moneth, which shall be in this present Year One Thousand Six Hundred Eighty and Two, Meet and Assembly in some fit place, of which timely Notice shall be beforehand given by the Governour or his Deputy, and then and there shall chuse out of themselves Seventy Two Persons of most Note for their Wisdom, Virtue and Ability, who shall meet on the Tenth day of the First Moneth next ensuing, and alwayes be called and act as the Provincial Council of the said Province.

III. That at the first Choice of such **Provincial Council**, *One Third part* of the said **Provincial Council** shall be chosen to serve for Three Years then next ensuing, *One Third part* for Two Years then next ensuing, and *One Third part* for One Year then next following such Election, and no longer; and that the said *Third part* shall go out accordingly. And on the Twentieth Day of the Twelfth Moneth, as aforesaid, yearly, forever afterward, the **Free-men** of the said *Province* shall in like manner Meet and Assemble together, and then chuse Twenty Four Persons, being *One Third* of the said Number, to serve in **Provincial Council** for Three Years, it being intended, that *One Third* of the whole **Provincial Council** (alwayes consisting and to consist of Seventy Two Persons, as aforesaid) falling off Yearly, it shall be yearly supplied by such new yearly Elections as aforesaid. And that no one Person shall continue therein longer than Three Years: And in case any Member shall decease before the last Election, during his time, that then at the next Election ensuing his Decease, another shall be chosen to supply his place for the remaining time he was to have served, and no longer.

IV. That after the first Seven Years, every one of the said *Third parts* that goeth yearly off, shall be incapable of being Chosen again for one whole Year following; That so all may be fitted for Government, and have Experience of the Care and Burden of it.

V. That the **Provincial Council** in all Cases and Matters of Moment, as their *Arguing upon Bills to be past into Laws, Erecting Courts of Justice, giving Judgment upon Criminals Impeached, and Choice of Officers in such manner as is herein after mentioned*, Not less than *Two Thirds* of the whole **Provincial Council** shall make a *Quorum*; and that the Consent and Approbation of *Two Thirds* of such *Quorum* shall be had in all such Cases or Matters of Moment. And moreover, that in all Cases and Matters of lesser Moment, Twenty Four Members of the said **Provincial Council** shall make a *Quorum*, the Majority of which twenty four shall and may always Determine in such Cases & Causes of lesser Moment.

VI. That in this **Provincial Council** the **Governour** or his *Deputy* shall or may alwayes *preside* and have a *Treble Voice*; and the said **Provincial Council** shall alwayes continue and sit upon its own *Adjournments* and *Committees*.

VII. That the **Governour** and **Provincial Council** shall prepare and propose to the **General Assembly**, hereafter mentioned, all **Bills**, which they shall at any time think fit to be past into Laws within the said *Province*; which **Bills** shall be Publisht and Affixed to the most noted Places in the Inhabited Parts thereof **Thirty** Dayes before the Meeting of the **General Assembly**, in order to the passing of them into Laws, or rejecting of them, as the **General Assembly** shall see meet.

VIII. That the **Governour** and **Provincial Council** shall take Care, that all **Laws, Statutes** and **Ordinances**, which shall at any time be made within the said *Province*, be duely and diligently Executed.

IX. That the **Governour** and **Provincial Council** shall at all times have the Care of the *Peace and Safety* of the *Province*; and that nothing be by any Person attempted to the Subversion of this Frame of Government.

X. That the **Governour** and **Provincial Council** shall at all times settle and order the Scituation of all *Cities, Ports* and *Market-Towns* in every *County*, modelling therein all publick *Buildings, Streets* and *Market-Places*; and shall appoint all necessary *Roads* and *Highways* in the *Province*.

XI. That the **Governour** and **Provincial Council** shall at all times have Power to inspect the Management of the publick *Treasury*, and punish those who shall Convert any part thereof to any other use, than what hath been agreed upon by the **Governour, Provincial Council** and **General Assembly**.

XII. That the **Governour** and **Provincial Council** shall erect and order all publick *Schools*, and encourage and reward the Authors of *useful Sciences* and *laudable Inventions* in the said *Province*.

XIII. That for the better Management of the Powers and Trust aforesaid, the **Provincial Council** shall from time to time divide it self into Four distinct and proper Committees, for the more easie Administration of the Affairs of the *Province*, which divides the *Seventy Two* into four *Eighteens*, every one of which *Eighteens* shall consist of Six out of each of the *Three Orders* or *Yearly Elections*, each of which shall have a distinct portion of Business, as followeth. First, A Committee of **Plantations**, to situate and settle *Cities, Ports, Market-Towns* and *High-ways*, and to hear and decide all Suits and Controversies relating to *Plantations*. Secondly, A Committee of **Justice** and **Safety** to secure the Peace of the *Province*, and punish the Male-Administration of those who subvert Justice to the Prejudice of the publick or private Interest. Thirdly, A Committee of **Trade** and **Treasury**, who shall regulate all Trade and Commerce according to Law, encourage Manufacture and Country-growth, and defray the publick Charge of the *Province*. And Fourthly, A Committee of **Manners, Education** and **Arts**, that all Wicked and Scandalous Living may be prevented, and that *Youth* may be successively trained up in *Virtue* and *useful Knowledge* and *Arts*; the *Quorum* of each of which Committees being Six, that is, Two out of each of the three Orders or yearly Elections, as aforesaid, make a constant or standing Council of twenty four, which will have the Power of the **Provincial Council**, being the *Quorum* of it, in all Cases not excepted in the fifth Article; and in the said Committees and standing Council of the *Province*, the **Governour** or his *Deputy* shall or may *Preside*, as aforesaid. And in the Absence of the **Governour** or his *Deputy*; if no one is by either of them appointed, the said Committees or Council shall appoint a *President* for that time, and not otherwise; and what shall be resolved at such Committees, shall be reported to the said Council of the *Province*, and shall be by them Resolved and Confirmed before the same shall be put in Execution: And that these respective Committees shall not sit at one and the same time, except in cases of necessity.

XIV. And to the end that all Laws prepared by the **Governour** and **Provincial Council** aforesaid, may yet have the more full Concurrence of the *Free-men* of the *Province*, It is Declared, Granted and Confirmed, that at the time and Place or Places, for the Choice of a **Provincial Council**, as aforesaid, the said *Free-men* shall Yearly chuse *Members* to serve in a **General Assembly**, as their *Representatives*, not exceeding Two Hundred Persons, who shall Yearly meet on the Twentieth Day of the second Moneth, which shall be in the Year 1683. following, in the *Capital Town* or *City* of the said

Province, where during Eight Dayes the several *Members* may freely Confer with one another; and if any of them see meet, with a *Committee* of the *Provincial Council* (consisting of *Three* out of each of the Four *Committees* aforesaid, being *Twelve* in all) which shall be at that time purposely Appointed to receive from any of them Proposals for the Alteration or Amendment of any of the said proposed and promulgated *Bills*; and on the Ninth Day from their so meeting, the said *General Assembly*, after the reading over of the proposed *Bills* by the Clark of the *Provincial Council*, and the Occasions and Motives for them being opened by the *Governour* or his *Deputy*, shall give their *Affirmative* or *Negative*, which to them seemeth best, in such manner as hereafter is exprest: But not less than *two Thirds* shall make a *Quorum* in the Passing of Laws and Choice of such Officers as are by them to be Chosen.

XV. That the Laws so prepared and proposed as aforesaid, that are Assented to by the *General Assembly*, shall be Enrolled, as Laws of the *Province*, with this Stile, *By the Governour, with the Assent and Approbation of the free-men in Provincial Council and General Assembly.*

XVI. That for the better Establishment of the *Government* and *Laws* of this *Province*, and to the end there may be an Universal Satisfaction in the laying of the *Fundamentals* thereof, the *General Assembly* shall or may for the first Year consist of all the *free-men* of and in the said *Province*; and ever after it shall be yearly Chosen, as aforesaid: which Number of *Two Hundred* shall be Enlarged as the Country shall Encrease in People, so as it do not Exceed *five Hundred* at any time: The Appointment and Proportioning of which, as also the *Laying* and *Methodizing* of the Choice of the *Provincial Council* and *General Assembly* in future times most Equally to the Division of the *Hundreds* and *Countries*, which the *Country* shall hereafter be divided into, shall be in the Power of the *Provincial Council* to Propose, and the *General Assembly* to Resolve.

XVII. That the *Governour* and the *Provincial Council* shall Erect from time to time *standing Courts of Justice* in such Places and Number, as they shall judge Convenient for the good Government of the said *Province*. And that the *Provincial Council* shall on the *Thirteenth Day* of the First Moneth Yearly Elect and Present to the *Governour* or his *Deputy* a double Number of Persons to serve for *Judges, Treasurers, Masters of Rolls* within the said *Province* for the Year next ensuing. And the *free-men* of the said *Province* in their *County-Courts*, when they shall be erected, and till then, in the *General Assembly* shall on the *Three and Twentieth Day* of the Second Moneth yearly Elect and Present to the *Governour* or his *Deputy* a Double Number of Persons to serve for *Sheriffs, Justices of Peace* and *Coroners* for the Year next ensuing; Out of which Respective *Elections* and *Presentments* the *Governour* or his *Deputy* shall Nominate and Commissionate the proper Number for each Office the *Third day* after the said respective Presentments, or else the First named in such Presentment for each Office shall stand and serve for that Office the Year ensuing.

XVIII. But for as much as the present Condition of the *Province* requires some *Immediate Settlement*, and admits not of so quick a Revolution of Officers, and to the end the said *Province* may with all convenient Speed be well ordered and settled, I *William Penn* do therefore think fit to Nominate and Appoint such Persons for *Judges, Treasurers, Masters of the Rolls, Sheriffs, Justices of*
the

the Peace and Coroners, as are most fully qualified for those Employments; to whom I shall make and grant *Commissions* for the said *Offices*, respectively to hold to them to whom the same shall be granted, for so long time as every such Person shall *Well behave himself* in the *Office* or *Place* to him respectively granted, and no longer. And upon the Decease or Displacing of any of the said *Officers*, the succeeding *Officer* or *Officers* shall be chosen as aforesaid.

XIX. That the *General Assembly* shall continue so long as may be needful to *Impeach Criminals*, fit to be there *Impeached*, to *pass Bills* into *Laws*, that they shall think fit to *pass* into *Laws*, and till such time as the *Governour* and *Provincial Council* shall declare, That they have nothing further to propose unto them for their Assent and Approbation: And that *Declaration* shall be a Dismiss to the *General Assembly* for that time; which *General Assembly* shall be notwithstanding capable of *Assembling* together upon the *Summons* of the *Provincial Council* at any time during that year, if the said *Provincial Council* shall see occasion for their so *Assembling*.

XX. That all the *Elections* of *Members* or *Representatives* of the *People* to serve in *Provincial Council* and *General Assembly*, and all *Questions* to be determined by both or either of them that relate to *Passing of Bills* into *Laws*, To the *Choice* of *Officers*, To *Impeachments* made by the *General Assembly*, and *Judgment of Criminals* upon such *Impeachments* by the *Provincial Council*, and to all other Cases by them respectively judged of Importance, shall be resolved and determined by the *Ballot*; and unless on Suddain and Indispensible Occasions, no *Business* in *Provincial Council*, or its respective *Committees* shall be finally determined the same day that it is moved.

XXI. And that at all times, when and so often as it shall happen, that the *Governour* shall or may be an *Infant* under the Age of One and Twenty years, and no *Guardians* or *Commissioners* are appointed in writing by the *Father* of the said *Infant*, or that such *Guardians* or *Commissioners* shall be deceased, that during such *Minority* the *Provincial Council* shall from time to time, as they shall see meet, constitute and appoint *Guardians* or *Commissioners*, not exceeding *Three*, one of which three shall *Preside* as *Deputy* and *Chief Guardian*, during such *Minority*, and shall have and execute with the Consent of the other *Two* all the Power of a *Governour* in all the publick Affairs and Concerns of the said *Province*.

XXII. That as often as any day of the *Moneth*, mentioned in any Article of this *Charter*, shall fall upon the *First Day* of the *Week*, commonly called the *Lords Day*, the *Business* appointed for that day shall be deferred till the next day, unless in case of *Emergency*.

XXIII. That no *Act*, *Law* or *Ordinance* whatsoever, shall at any time hereafter be made or done by the *Governour* of this *Province*, his *Heirs* or *Assigns*, or by the *Free-men* in the *Provincial Council*, or the *General Assembly*, to *Alter*, *Change* or *Diminish* the *Form* or *Effect* of this *Charter*, or any *Part* or *Clause* thereof, or contrary to the true *Intent* and *Meaning* thereof, without the Consent of the *Governour*, his *Heirs* or *Assigns*, and *Six Parts* of *Seven* of the said *Free-men* in *Provincial Council* and *General Assembly*.

XXIV. And *Lastly*, That I, the said **William Penn**, for **My Self**, my **Heirs** and **Assigns** have *Solemnly Declared, Granted and Confirmed*, and do hereby *Solemnly Declare, Grant and Confirm*, That neither I, My **Heirs** nor **Assigns** shall procure or do any thing or things, whereby the Liberties in this Charter contained and expressed, shall be infringed or broken: And if any thing be procured by any Person or Persons contrary to these Premises, it shall be held of no Force or Effect. In witness whereof I the said **William Penn** have unto this present Charter of Liberties set my Hand and Broad Seal this Five and Twentieth Day of the Second Moneth, vulgarly called *April*, in the Year of our Lord One Thousand Six Hundred Eighty and Two.

William Penn.

L A W S

Laws agreed upon in England

BY THE GOVERNOUR

And Divers of the

Free-Men of Pennsylvania,

To be further Explained and Confirmed there by the first
Provincial Council and General Assembly that shall be held in the
said Province, if they see meet.

I. **T**HAT the **Charter of Liberties** Declared, Granted and Confirmed the Five and Twentieth day of the Second Moneth called *April*, 1682. before divers Witnesses by **William Penn**, Governour and *Chief Proprietor of Pennsylvania*, to all the **Free-men** and **Planters** of the said Province, is hereby declared and approved, and shall be forever held for a *Fundamental* in the *Government* thereof, according to the Limitations mentioned in the said *Charter*.

II. That every Inhabitant in the said Province that is or shall be a Purchaser of One Hundred Acres of Land or upwards, his Heirs and Assigns; and every Person who shall have paid his Passage, and taken up One Hundred Acres of Land at *One Penny* an Acre, and have cultivated *Ten Acres* thereof; and every Person that hath been a *Servant* or *Bonds-man*, and is *Free* by his *Service*, that shall have taken up his Fifty Acres of Land, and cultivated *Twenty* thereof; and every *Inhabitant*, *Artificer* or other, resident in the said Province, that payes *Scot* and *Lot* to the *Government*, shall be deemed and accounted a **Free-man** of the said Province; and every such Person shall and may be capable of Electing or being elected **Representatives** of the People in **Provincial Council** or **General Assembly** in the said Province.

III. That all **Elections** of Members or **Representatives** of the People and Free-men of the Province of *Pennsylvania*, to serve in **Provincial Council** or **General Assembly**, to be held within the said Province, shall be Free and Voluntary: And that the **Elector**, that shall receive any **Reward** or **Gift** in Meat, Drink, Moneys, or otherwise, shall forfeit his Right to Elect: And such Person as shall directly or indirectly give, promise or bestow any such **Reward** as aforesaid, to be **Elected**, shall forfeit his **Election**, and be thereby incapable to serve, as aforesaid. And the **Provincial Council** and **General Assembly** shall be the *sole Judges* of the Regularity or Irregularity of the **Elections** of their own respective Members.

IV. That no **Money** or **Goods** shall be raised upon, or paid by any of the People of this Province, by way of a publick **Tax**, Custom or Contribution, but
C 2 by

by a *Law* for that purpose made: And whosoever shall Leavy, Collect or Pay any *Money* or *Goods* contrary thereunto, shall be held a *publick Enemy* to the Province, and a *Betrayer* of the *Liberty* of the People thereof.

V. That all *Courts* shall be open, and *Justice* shall neither be sold, denyed nor delayed.

VI. That in *Courts* all Persons of all *Perswasions* may freely appear in *their own Way*, and according to *their own Manner*, and there Personally *Plead* their own *Cause* themselves, or if unable, by their Friends. And the first *Process* shall be the *Exhibition* of the Complaint in Court *Fourteen Dayes* before the Tryal. And that the Party complained against may be fitted for the same, he or she shall be summon'd no less than *Ten Dayes* before, and a Copy of the Complaint delivered him or her at his or her Dwelling House. But before the Complaint of any Person be received, he shall solemnly deciare in Court, *That he believes in his Conscience, his Cause is Just.*

VII. That all *Pleadings*, *Proceffes* and *Records* in Courts shall be short, and in *Englisb*, and in an ordinary and plain Character, that they may be understood, and Justice speedily administred.

VIII. That all *Tryals* shall be by *Twelve Men*, and as near as may be, *Peers* or *Equals*, and of the *Neighbourhood*, and men without just Exception. In cases of *Life* there shall be first *Twenty four* returned by the Sheriff for a *Grand Inquest*, of whom *Twelve* at least shall find the Complaint to be true, and then the *Twelve Men* or *Peers*, to be likewise returned by the Sheriff, shall have the *final Judgment*: But reasonable *Challenges* shall be alwayes admitted against the said *Twelve Men*, or any of them.

IX. That all *fees* in all Cases shall be Moderate, and settled by the *Provincial Council* and *General Assembly*, and be hung up in a Table in every respective Court: And whosoever shall be convicted of taking more, shall pay Twofold, and be dismissed his Employment, one Moyety of which shall go to the party wronged.

X. That all *Prisons* shall be *Work-houses* for *Felons*, *Vagrants* and *Loose* and Idle Persons, whereof one shall be in every County.

XI. That all *Prisoners* shall be Baylable by sufficient Sureties, unless for *Capital Offences*, where the Proof is evident, or the Presumption great.

XII. That all Persons *Wrongfully Imprisoned*, or prosecuted at Law, shall have *Double Damages* against the *Informer* or *Prosecutor*.

XIII. That all *Prisons* shall be Free, as to *Fees*, *Food* and *Lodging*.

XIV. That all *Lands* and *Goods* shall be liable to pay *Debts*, except where there be *Legal Issue*, and then all the *Goods*, and One *Third* of the *Land* only.

XV. That all *Wills* in *Writing*, attested by *two Witnesses*, shall be of the same Force, as to *Lands*, as other *Conveyances*, being legally proved within *Forty Dayes*, either within or without the said Province.

XVI. That *Seven Years quiet Possession* shall give an Unquestionable Right, except in Cases of *Infants, Lunatics, Married Women, or Persons beyond the Sea.*

XVII. That all *Briberies* and *Extortions* whatsoever shall be severely punished.

XVIII. That all *Fines* shall be moderate, and saving mens *Contentements, Merchandize* or *Wainage.*

XIX. That all *Marriages* (not forbidden by the Law of God, as to nearness of Blood and Affinity by Marriage) shall be encouraged; but the *Parents* or *Guardians* shall be first consulted, and the *Marriage* shall be published before it be solemnized, & it shall be solemnized by *taking one another as Husband and Wife* before Credible Witnesses: And a *Certificate* of the whole, under the hands of Parties and Witnesses shall be brought to the proper Register of that County, and shall be Registred in his Office.

XX. And to prevent Frauds and Vexatious Suits within the said Province, That all *Charters, Gifts, Grants and Conveyances* of Land (except Leases for a Year, or under) and all *Bills, Bonds and Specialties* above Five Pound, and not under three Moneths, made in the said Province, shall be Enrolled or Registred in the publick Enrollment-Office of the said Province, within the space of two Moneths next after the making thereof, else to be void in Law. And all *Deeds, Grants and Conveyances* of Land (except as aforesaid) within the said Province, and made out of the said Province, shall be Enrolled or Registred, as aforesaid, within six Moneths next after the making thereof, and settling and constituting an Enrollment-Office or Registry within the said Province, else to be void in Law against all Persons whatsoever.

XXI. That all Defacers or Corrupters of *Charters, Gifts, Grants, Bonds, Bills, Wills, Contracts and Conveyances*, or that shall deface or falsifie any Enrollment, Registry or Record within this *Province*, shall make *Double Satisfaction* for the same; half whereof shall go to the Party wronged, and they shall be dismissed of all Places of Trust, and be publickly disgraced, as *False Men.*

XXII. That there shall be a *Register* for Births, Marriages, Burials, Wills and Letters of Administration distinct from the other Registry.

XXIII. That there shall be a Registry for all *Servants*, where their Names, Time, Wages, and Dayes of Payment shall be Registred.

XXIV. That all Lands and Goods of *Fellons* shall be liable to make satisfaction to the Party wronged Twice the Value; and for want of Lands or Goods, the Fellow shall be Bonds-man, to work in the Common-Prison or Work-house, or otherwise, till the Party injured be satisfied.

XXV. That the Estates of Capital Offenders, as *Traitors and Murderers*, shall go one third to the next of Kin to the Sufferer, and the remainder to the next of Kin to the Criminal.

XXVI. That all *witneses* coming or called to testifie their Knowledge in or to any Matter or Thing in any Court, or before any lawful Authority within
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the said Province, shall there give or deliver in their Evidence or Testimony by solemnly Promising *To speak the Truth, the Whole Truth, and nothing but the Truth* to the Matter or Thing in question. And in case any Person so called to Evidence, shall afterwards be convicted of Wilfull Falsehood, such Person shall suffer and undergo such Damage or Penalty as the Person or Persons, against whom he or she bore false Witness, did or should undergo, and shall also make Satisfaction to the Party wronged, and be publicly exposed as a *False Witness*, never to be credited in any Court or before any Magistrate in the said Province.

XXVII. And to the end that all **Officers** chosen to serve within this Province, may with more care and diligence answer the Trust reposed in them, It is agreed, that no such Person shall enjoy more than one publick Office at one time,

XXVIII. That all **Children** within this Province of the Age of Twelve Years shall be taught some useful **Trade** or Skill, to the end none may be *Idle*, but the Poor may Work to live, and the Rich, if they become Poor, may not want.

XXIX. That **Servants** be not kept longer than their time ; and such as are Careful be both justly and kindly used in their Service, and put in fitting Equipage at the expiration thereof, according to Custom,

XXX. That all Scandalous and Malicious **Reporters**, Backbiters, Defamers and Spreaders of false News, whether against Magistrates or private Persons, shall be accordingly severely punished, as *Enemies* to the Peace and Concord of this Province.

XXXI. That for the Encouragement of the **Planters** and **Traders** in this Province, who are incorporated into a *Society*, the **Patent** granted to them by **William Penn**, **Governour** of the said Province, is hereby ratified and confirmed.

XXXII.

XXXIII. That all **Factors** or *Correspondents* in the said Province wronging their **Employers**, shall make Satisfaction, and one third over to their said *Employers* ; and in case of the Death of any such Factor or Correspondent, the *Committee of Trade* shall take care to secure so much of the deceased Party's Estate as belongs to his said respective Employers.

XXXIV. That all **Treasurers**, Judges, Masters of the Rolls, Sheriffs, Justices of the Peace, and other Officers or Persons whatsoever, relating to Courts or Tryals of Causes, or any other Service in the Government, and all Members elected to serve in **Provincial Council** and **General Assembly** ; and all that have Right to elect such Members, shall be such as profess **Faith in Jesus Christ**, and that are not convicted of Ill Fame, or unsober and dishonest Conversation, and that are of One and Twenty Years of Age at least ; and that all such so qualified, shall be capable of the said several Employments and Privileges, as aforesaid.

XXXV.

XXXV. That all Persons living in this Province; who confess and acknowledge the One Almighty and Eternal God, to be the Creator, Upholder and Ruler of the World, and that hold themselves obliged in Conscience to live peaceably and justly in *Civil Society*, shall in no wayes be molested or prejudiced for their Religious Perswasion or Practice in matters of *Faith* and *Worship*, nor shall they be compelled at any time to frequent or maintain any Religious *Worship*, Place or *Ministry* whatever.

XXXVI. That according to the good Example of the Primitive Christians, and for the ease of the Creation, every *First Day* of the Week called the *Lords Day*, People shall abstain from their common daily Labour, that they may the better dispose themselves to Worship God according to their Understandings.

XXXVII. That as a Careless and Corrupt Administration of Justice draws the Wrath of God upon Magistrates, so the Wildness and Looseness of the People provoke the Indignation of God against a Country; Therefore,——

That All such Offences against God, as Swearing, Cursing, Lying, Profane Talking, Drunkenness, Drinking of Healths, Obscene words, Incest, Sodomy, Rapes, Whoredom, Fornication and other uncleanness (not to be repeated:) **All** Treasons, Misprisions, Murders, Duels, Felonies, Sedition, Mayhems, Forcible Entries and other Violencies to the Persons and Estates of the Inhabitants within this Province: **All** Prizes, Stage-Plays, Cards, Dice, May-games, Gamesters, Masques, Revels, Bull-baitings, Cock-fightings, Bear-baitings and the like, which excite the People to Rudeness, Cruelty, Looseness and Irreligion, shall be respectively discouraged and severely punished, according to the appointment of the **Governour** and **Free-men** in **Provincial Council** and **General Assembly**, as also all Proceedings contrary to these Laws, that are not here made expressly penal.

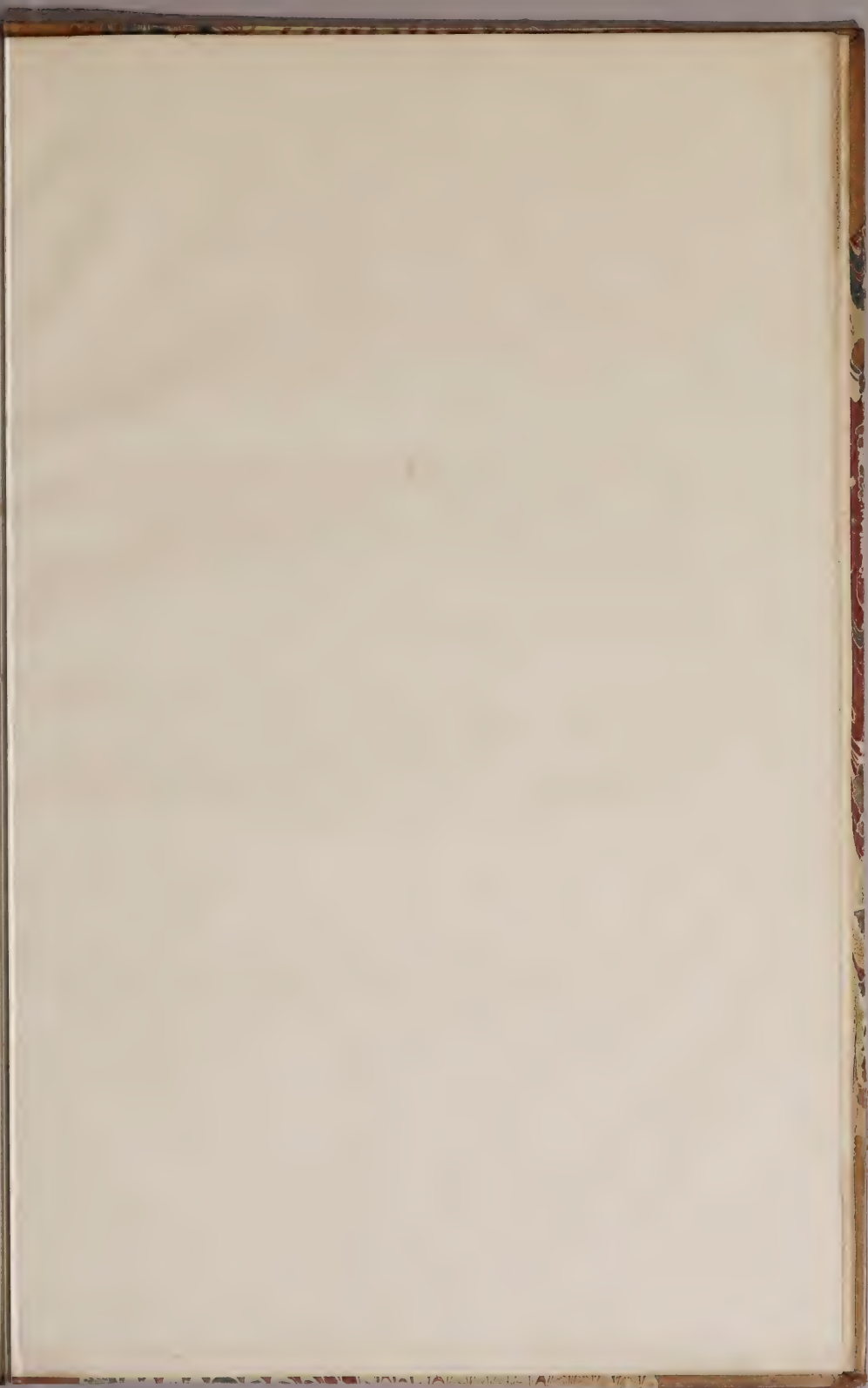
XXXVIII. That a Copy of these Laws shall be hung up in the **Provincial Council** and in publick Courts of Justice, and that they shall be read Yearly at the opening of every **Provincial Council** and **General Assembly** and Court of Justice, and their Assent shall be testified by their *standing up* after the reading thereof.

XXXIX. That there shall be at no time any Alteration of any of these Laws without the Consent of the **Governour**, his Heirs or Assigns, and Six parts of Seven of the **Free-men** met in **Provincial Council** and **General Assembly**.

XL. That **All** other Matters and Things not herein provided for, which shall and may concern the publick Justice, Peace or Safety of the said Province, and the raising and imposing Taxes, Customs, Duties, or other Charges whatsoever, shall be and are hereby referred to the Order, Prudence and Determination of the **Governour** and **Free-men** in **Provincial Council** and **General Assembly**, to be held from time to time in the said Province.

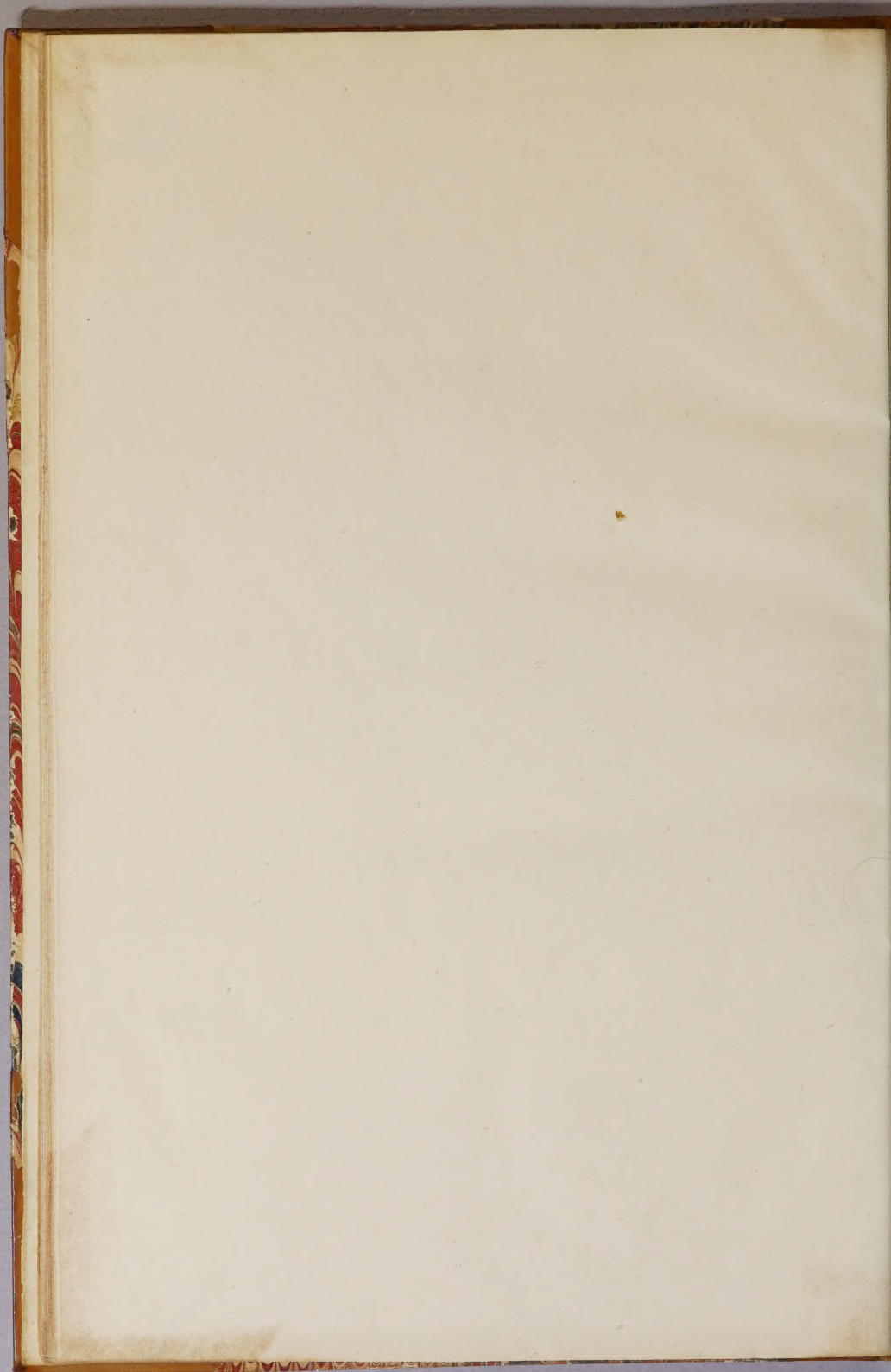
Signed and Sealed by the Governour and Free-men aforesaid, this Fifth Day of the Third Moneth, called May, One Thousand Six Hundred Eighty and Two.

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Trustees Room

